

**City of Warwick Planning Board  
Meeting Minutes**

**Wednesday June 7, 2006**

**Members Present:** John J. Mulhearn Jr.  
Rick Robinson  
Attilio Iacobucci  
Vincent Gambardella  
Michael Constantine  
Carter Thomas

**Members Absent:** Philip Slocum  
George Arnold  
Jeanne Foster

**Also in attendance:** John DeLucia, City Engineer  
Eric Hindinger, Assistant City Engineer  
John Earle, Solicitor

The meeting was called to order at 6:00 P.M.

On the motion of Mr. Constantine, seconded by Mr. Robinson, the Planning Board voted unanimously to continue action on the May 2006 meeting minutes until the next meeting.

Chairman Mulhearn informed the Planning Board and the audience that the order of the agenda would be altered to accommodate several of the applicants.

**Public Hearing**

**Major Subdivision**

**Byron Boulevard**

**Applicant:** Mount Development Corporation  
**Location:** Byron Boulevard  
**Assessor's Plat:** 289  
**Lot(s):** 270 through 273  
**Zoning District:** Residential A-7  
**Land Area:** 22,928 square feet  
**Number of lots:** 3  
**Engineer/Surveyor:** SFM Engineering Associates/Flynn Surveys  
**Ward:** 2

Attorney K. John Shekarchi represented the applicant and was requesting Preliminary approval to subdivide four lots to create three lots for development, two conforming lots and one lot with less than the required frontage on an improved street in a residential A-7 Zoning District.

The Attorney explained that the Planning Board had previously granted Master Plan approval and referred the application to the Zoning Board of Review for a variance to create a lot with less than the required frontage on an improved City street. Attorney Shekarchi informed the board that the applicant had received the required zoning relief and was now requesting Preliminary approval.

The Planning Board closed the public hearing having received no questions or comments regarding the development.

The Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations,

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received Zoning Board of Review approval, Petition #9265, to create a lot for development with less than the required frontage on an improved City street.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate and permanent access to a public street.

The Planning Department recommendation was to grant Preliminary approval with Final approval to be through the Administrative Officer, upon compliance with following stipulations:

- 1) That the proposed sewer connections shall be approved by the Warwick Sewer Authority prior to final approval.
- 2) That the 34" Maple located on lots 1 and 2 shall be protected during construction.

- 3) That upon completion of construction and prior to the issuance of a Certificate of Occupancy (CO) the developer shall plant two street trees to be approved by the City's Landscape Project Coordinator within the City Right of Way (ROW) along Byron Boulevard.
- 4) That a guardrail or rustic barrier in conformance with RIDOT standards shall be installed at the end of Byron Boulevard, prior to the issuance of a CO.

On the motion of Mr. Thomas, seconded by Mr. Iacobucci, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant Preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulations.

### **Public Informational Meeting**

#### **Major Subdivision**

#### **100 Meadow Street**

Applicant:	Michael C. Kent Irrevocable Trust and John Allen & Sons, Inc.
Location:	100 Meadow St
Assessor's Plat:	244
Lot(s):	230 & 232
Zoning District:	Light Industrial
Land Area:	86,467 square feet
Number of lots:	2
Engineer:	Waterman Engineering Co.
Ward:	7

Attorney John C. Revens represented the applicant and was requesting Master Plan approval to subdivide two lots to create one 1.42 acre parcel with two buildings having less than the required side and rear setbacks, less than the required parking and landscaping and one .56 acre parcel with one building having less than the required rear setbacks and landscaping in a Light Industrial Zoning District.

Attorney Revens explained that there would be no new construction or additional lots created and that the proposed subdivision was simply to rearrange property lines as a result of a real estate transaction.

Having no questions or comments, the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations,

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring Zoning Board of Review approval to create two lots, one lot with two buildings having less than the required side and rear setbacks, less than the required parking and landscaping and one lot with one building having less than the required rear setbacks and landscaping.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

The Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to create two lots, one lot with two buildings having less than the required side and rear setbacks, less than the required parking and landscaping, and one lot with one building having less than the required rear setback and landscaping.
- 2) That the existing right of way (ROW) easement depicted on lot 230 shall be removed in order to provide additional parking to support the uses on the property.
- 3) That the Preliminary Plan shall include the control points used to establish the property lines, all existing and proposed utilities, an easement addressing the existing encroachment of the 100 Meadow Street building onto lot 213 and the purpose and need of the proposed easement located along the easterly property line of lot 211.

On the motion of Mr. Gambardella, seconded by Mr. Thomas, the Planning Board voted unanimously to adopt the Planning Department’s findings and to grant Master Plan approval with the Planning Department’s recommended stipulations.

## Public Informational Meeting

### Major Subdivision

#### **Aurore Plat**

**Applicant:** Aurore Development, LLC.  
**Location:** Ethan Street and Bucklin Avenue  
**Assessor's Plat:** 309  
**Lot(s):** 27 & 36  
**Zoning District:** Residential A-7  
**Land Area:** 35,237 square feet  
**Number of lots:** 5  
**Engineer:** Ocean State Planners, Inc.  
**Ward:** 3

Attorney John C. Revens represented the applicant and was requesting a Master Plan approval to subdivide two lots to create five new lots, four conforming lots on a new street with less than the required cul-de-sac radius and one lot with less than the required land area on an existing street in a Residential A-7 Zoning District.

City Engineer, John DeLucia, informed the board that his family owns property within the notice area and therefore he would not participate in the hearing.

The attorney introduced Mr. Richard Bzdyra from Ocean State Planners, Inc., who described the details of the project. Mr. Bzdyra informed the board that the developer had agreed to reduce a proposed two car garage associated with a new dwelling on lot 5 Bucklin Avenue to a one car garage.

Bzdyra then explained that the proposal was to subdivide two lots fronting on Ethan Street and Bucklin Avenue to create five new lots for development. Bzdyra further explained that the developer intended to extend Ethan Street, construct a cul-de-sac and extend all utilities including, underground drainage, sewer, water and gas to accommodate the new development. Bzdyra concluded his presentation by informing the board that the lot on Bucklin Street was a preexisting undersized lot and therefore would require Zoning Board approval.

Board member Iacobucci asked if there were any other undersized lots on Bucklin Street.

Bzdyra responded that the lot on Bucklin Street varied from 6,400 s.f., 7,000 s.f., 5,000 s.f., to a 3,200 s.f. lot within the radius area.

Mr. Larry Egan of 11 Branch Road stated that he abuts the proposed cul-de-sac and inquired if it would touch his property.

Bzdyra responded to the affirmative.

Mr. James Menzies of 45 Bucklin Avenue, Mr. Peter Warwick of 85 Bucklin Avenue and Mr. Richard Patel of 81 Sand Pond Road were all opposed to the development of the undersized lot.

Mr. Patel also inquired what types of homes were being proposed.

Mr. Lamoureux, the developer, responded that the homes would be single family with three bedrooms, two bath rooms and one and two car garages. He proposed that the prices would range from \$289,000 to \$299,000.

Ms. Lori Gebler of 54 Ethan Street was concerned about the effect of the drainage on Ethan Street.

Mr. Bzdyra explained that the drainage would be designed to accommodate both the existing drainage and any new drainage resulting from the development. Bzdyra speculated that the development could possibly improve the existing drainage situation.

Ms. Laura Stanley of 29 Bucklin Avenue was opposed to the development expressing concerns about traffic. She also was concerned that there would be curbing installed on Bucklin Avenue because there is no curbing there now.

Mr. Bzdyra explained that there would be curbing installed on Ethan Street but not on Bucklin Avenue.

Being no further public comment the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring Zoning Board of Review approval to build on a lot with less than the required area.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:

- 5) That the proposed development possesses adequate and permanent access to a public street.

The Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to build on a lot with less than the required land area.
- 2) That the Preliminary Plan shall include a minimum of 0.7% grade for the proposed roadway (greater than 1% is strongly recommended),
- 3) That the Preliminary Plan shall call for the relocation of utility pole #5 to accommodate the roadway and curbing.
- 4) That the Preliminary Plan shall include at least one granite bound per lot.
- 5) That the Preliminary Plan shall include the overall grading of the site which shall ensure that the storm-water is properly directed toward the proposed collection system and away from the proposed dwellings.
- 6) That the Preliminary Plan shall include a five foot (5') wide permanent maintenance easement along the north side of the proposed Ethan Street extension.
- 7) That the Preliminary Plan shall clarify the ownership of the storm drains and the underground injection control (UIC) system.
- 8) That the Preliminary Plan shall depict a one inch water service to the proposed dwellings.
- 9) That the Preliminary Plan shall include street trees, species to be approved by the City's Landscape Project Coordinator, to be located 35 feet on center on both sides of Ethan Street extension, including the cul-de-sac.
- 10) That the grouping of mature evergreen trees located between Ethan Place and the southern edge of the proposed cul-de-sac should be preserved and protected during construction, if possible.

On the motion of Mr. Iacobucci, seconded by Mr. Constantine, the Planning Board voted five members in favor with Mr. Mulhearn abstaining to adopt the Planning Department's findings and to grant Master Plan approval with the Planning Department's recommended stipulations.

**Public Hearing**

**Major Land Development Project**

**Oatley Office Building**

**Applicant:** Scott Oatley  
**Location:** 404 Toll Gate Road @ Leon Whipple  
**Assessor's Plat:** 247  
**Lot(s):** 13  
**Zoning District:** Office  
**Land Area:** 26,433 square feet  
**Number of lots:** NA  
**Engineer:** Crossman Engineering, Inc.  
**Ward:** 8

Attorney K. Joseph Shekarchi represented the applicant and was requesting Preliminary approval to construct a 5,400 square foot office building with less than the required wetland setbacks on a 26,433 square foot lot.

Shekarchi explained that the Planning Board had previously granted Master Plan approval and a recommendation for a zone change on the project. The attorney also explained that the property had received the required zone change from the City Council and that the City Council had removed stipulation "B" restricting medical offices based upon the testimony of the Planning Director.

The Planning Board closed the public hearing having received no questions or comments regarding the development.

The Planning then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

- 5) That the proposed development possesses adequate and permanent access to a public street.

The Planning Department recommendation was to grant a Preliminary approval with the with final approval to be through the Administrative Officer upon compliance with the stipulation that a final fire hydrant location shall be approved by the City Fire Marshall's Office, if necessary.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci and Mr. Gambardella, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant Preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulation.

**Public Informational Meeting**

**Major Land Development Project**

**Wentworth Avenue Two-Family**

**Applicant:** Carmel Cemani  
**Location:** 126 Wentworth Avenue  
**Assessor's Plat:** 355  
**Lot(s):** 322  
**Zoning District:** Residential A-7  
**Land Area:** 8,932 square feet  
**Number of lots:** NA  
**Engineer:** Walker Engineering, Ltd.  
**Ward:** 5

Attorney K. Joseph Shekarchi represented the applicant and requested a continuance to the next available hearing date with the understanding that the application would be re-advertised.

On the motion of Mr. Constantine, seconded by Mr. Thomas, the Planning Board voted unanimously to continue the application to the next available hearing date with the understanding that the application would re-advertised.

**Public Informational Meeting**

**Major Subdivision**

**Francis Estates**

Applicant:	Allen Francis
Location:	42 Oxford Avenue
Assessor's Plat:	317
Lot(s):	133, 134, 135 & 407
Zoning District:	Residential A-7
Land Area:	17,625 square feet
Number of lots:	2
Engineer:	WP Skorupski, PLS.
Ward:	4

Mr. Walter Skorupski, PLS, represented the applicant and requesting Master Plan approval to subdivide four abutting nonconforming lots to create two lots, one conforming 7,200 square foot lot with an existing dwelling and one new 10,425 square foot lot for development with less than the required frontage and lot width on an existing street in a Residential A-7 Zoning District.

Mr. Skorupski explained that the lots were and existing condition and that the owner was attempting to subdivide four lots to create two lots. He explained that parcel 1 did not have adequate frontage on one street, Rock Avenue, but did have adequate frontage on Oxford Avenue but the lack of frontage was a preexisting condition and not caused by the applicant. Skorupski also asked the Planning Board to waive stipulation 2 and to allow the owner to maintain the existing garage on proposed parcel 1.

Mr. Skorupski assured the board that parcel 1 would be developed as a house lot and that the property would conform to zoning section 601.1 (b) governing accessory uses.

The Planning Department agreed to alter the stipulation to allow the garage to remain for one year pending the issuance of a building permit.

Being no further testimony, questions or comments from the public or the board, the Planning Board then heard the Planning Department's findings and recommendation/

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.

- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring Zoning Board of Review approval to create a lot with less than the required frontage and lot width on an existing street.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

The Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to create a lot with less than the required frontage and lot width on an existing street.
- 2) That the existing shed on proposed “Parcel 2” shall be removed prior to the recording of the subdivision and that the existing garage may remain on the lot for a maximum of one year pending the issuance of a building permit.
- 3) That the existing dwelling and any proposed new dwelling shall be connected to the Warwick Sewer System, prior to the issuance of a Certificate of Occupancy (CO).

On the motion of Mr. Thomas, seconded by Mr. Iacobucci, the Planning Board voted unanimously to adopt the Planning Department’s findings and to grant Master Plan approval with the Planning Department’s recommended stipulations.

### **Public Meeting**

### **Minor Land Development Project**

#### **1 International Way**

Applicant:	VAS Realty LLC.
Location:	1 International Way
Assessor’s Plat:	276
Lot:	9
Zoning District:	GI (General Industrial)
Land Area:	2.26 acres
Number of lots:	1
Engineer:	David D. Gardner & Associates, Inc.
Ward:	8

Attorney K. Joseph Shekarchi represented the applicant and was requesting Preliminary approval for a Minor Land Development Project to construct a new 2 story, 30,000 square foot office building.

Attorney Shekarchi explained that the site was previously developed and that the proposal was to raze the existing building and build a new two story 30,000 square foot office building. The attorney explained that the project meets or exceeds the City's zoning requirements and that the developer has been working with the City Engineer to improve drainage in the area.

Being no Planning Board questions and no public comment, the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

The Planning Department recommendation was to grant Preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the final landscape plan shall be approved by the City's Landscape Project Coordinator.
- 2) That storm-water quality calculations shall be provided by the Project Engineer and approved by the City's Engineering Department prior to final approval.
- 3) That the final plan shall include an Operation and Maintenance plans for all components of the drainage system, which must clearly state that, the owner shall be responsible for the implementation and maintenance of the system.
- 4) That all necessary State permits, including, but not limited to, RIDEM Wetlands and RIDOT Physical Alteration Permit (PAP) shall obtained prior to final approval if needed.

- 5) That the final plans shall include the domestic water service which shall include an RPZ backflow device after the meter and a double check detection check installed on the fire service and that any outside irrigation service must be tapped off the domestic service and contain an RPZ backflow device.
- 6) That the location and number of hydrants be approved by the Warwick Fire Marshall's Office and depicted on the final plan prior to final approval.
- 7) That Project Engineer shall provide existing and projected sewer flows, as well as, any other pretreatment requirements which shall be approved by the Warwick Sewer Authority, prior to final approval.
- 8) That any outstanding Sewer Assessments shall be paid in full prior to final recording.

On the motion of Mr. Arnold, seconded by Mr. Iacobucci, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant Preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulations.

### **Land Donation**

### **City of Warwick**

**Applicant:** House of Hope  
**Location:** Winter Avenue  
**Assessors Plat:** 332  
**Assessors Lots:** 483, 484 & 485  
**Zoning District:** Open Space  
**Ward:** 4

Board member Robinson informed the Planning Board that he is on the Board of Directors for the Hose of Hope and therefore would not participate in the hearing

Attorney K. Joseph Shekarchi represented the House of Hope and explained the City of Warwick was proposing to donate Assessors Plat: 332; Assessors Lots: 483, 484 and 485 totaling approximately 8,756 square feet and currently zoned Open Space, to the House of Hope, a private nonprofit housing organization for the purpose of constructing a single family home on the site.

The attorney stated that the House of Hope did not object to the Planning Department's proposed stipulations.

The Planning Board then heard the Planning Department's recommendation.

The Planning Department had contacted all effected City Departments, Agencies and

Commissions and received no objection. The Sewer Authority requested that it be allowed to continue to use the subject lots as a staging area for the Conimicut West Sewer Construction Project until the project has been completed in December 2006 or spring 2007.

The Planning Department recommended a favorable recommendation to the City Council for the land dedication with the following conditions:

- 1) That the Warwick Sewer Authority continues to utilize the property as a staging area for the Conimicut West Sewer Construction Project until the project has been completed.
- 2) That the City Council rezone the property from Open Space to Residential A-7 with a restriction that the property be utilized for the construction of an affordable single family home not to exceed three bedrooms.

On the motion of Mr. Thomas, seconded by Mr. Constantine, the Planning Board voted five in favor with Mr. Robinson abstaining to issue a favorable recommendation to the Warwick City Council with the Planning Department's recommended stipulations.

### **Public Informational Meeting**

### **Major Land Development Project**

#### Crown Plaza Hotel Addition

Applicant:	Warwick Hotel Associates
Location:	801 Greenwich Avenue
Assessor's Plat:	265
Lot(s):	18 & 21
Zoning District:	GB (General Business)
Land Area:	17.8 acres
Number of lots:	2
Engineer:	Garofalo & Associates, Inc.
Ward:	8

Attorney K. Joseph Shekarchi represented the applicant and was requesting Master Plan approval of a Major Land Development Project to reconfigure two lots, resulting in two lots; one lot with less than required side setback in order to provide for the expansion of an existing hotel.

Attorney Shekarchi explained the subdivision was for financing purposes only and that the intent was to expand the existing hotel. Shekarchi informed the board that the Crown Plaza was approved in the mid 1980's for 450 rooms, that the current hotel consists of 266 rooms and that the hotel desired to add 116 new rooms to bring the total to 382 rooms.

Chairman Mulhearn inquired if Carpionato properties intended to forfeit an existing approval for a second hotel on an adjacent site and asked to be assured that the developer would not be back

before the Planning Board requesting additional variances for the site.

The attorney responded that the intent is to forfeit the second hotel approval and assured the Chairman that the applicant would not be back before the board the request additional variances for this project.

Being no public comment and no additional questions or comment from the Planning Board, the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring a variance to construct an addition to an existing building with less than the required setbacks.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

The Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to construct a building addition and to have an existing building with less than the required side-yard setbacks.
- 2) That the Preliminary Plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
- 3) That all State permits including, but not limited to, RIDEM Wetlands, RIDOT Physical Alteration Permit (PAP), RIDEM Underground Injection Control (UIC) shall be obtained, prior to Preliminary approval if needed.
- 4) That the location and number of hydrants and the flow rate shall be approved by the Warwick Fire Marshall's Office, prior to Preliminary approval. Should a larger service line be required to service the expansion, this should be coordinated immediately with RIDOT as part of the Route 5 reconstruction project.

- 5) That the Project Engineer shall provide existing and projected sewer flows, as well as, any other pretreatment requirements which shall be approved by the Warwick Sewer Authority, prior to Preliminary approval.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant Master Plan approval with the Planning Department's recommended stipulations

### **Public informational Meeting**

### **Major Land Development Project**

#### Jefferson Boulevard Office Park

Applicant:	Wilco Development LLC.
Location:	Jefferson Boulevard, Kansas Avenue, and Malbone Street
Assessor's Plat:	282
Lot(s):	78 (portion), 82-84, 87-90, 93, 96, 97, 100-102, 105-108
Zoning District:	GI and LI (General and Light Industrial)
Land Area:	3.76 acres
Number of lots:	2
Engineer:	DiPrete Engineering
Ward:	3

Attorney Jeffery Caffery represented the applicant and was requesting Master Plan approval of a Major Land Development Project to construct a new 75,000 square foot office building on a lot with less than required landscape buffer, and off-site parking.

Attorney Caffery introduced Mr. William Wilbur, the developer and Mr. Christopher Duhamel, PE of DiPrete Engineering.

Mr. Caffrey explained that the proposal was to consolidate several lots totaling approximately 3.75 acres and construct a 75,000 square foot office building.

Board member Gambardella inquired about the exit onto Malbone Street and the effect on Lincoln Avenue. Mr. Gambardella explained that at times vehicles waiting to proceed through the Lincoln Avenue underpass back up onto Jefferson Boulevard and that creating a line of vehicle heading toward Lincoln Avenue along Malbone Street may be a problem.

Mr. Wilbur explained that the exit was intended to be a secondary access point and that the main driveway would exit onto Vermont Avenue and then to Jefferson Boulevard. He thought that the Malbone exit would prevent vehicles from having to access Jefferson Boulevard and then turn right onto Malbone Street.

Ms. Susan Burn of 7 Michigan Avenue was concerned about the overall development of the area stating that the City was allowing development including the train station and the airport that would result in more traffic in the area.

The Planning Staff responded that the office building was an approved use according to the Zoning Ordinance and that the Planning Board could not prohibit the applicant from building the office building but only attempt to relieve any effects the development would have on the surrounding area.

Mr. Thomas Campbell of 314 Jefferson Boulevard expressed concerns about drainage in the area and requested a fence along the southerly property line of the off site parking lot.

Mr. Duhamel explained that the development would include drainage improvements to the site and that as a result drainage in the area should improve. He also agreed to include a fence along the parking lot.

Duhamel also explained that the development would include a landscape buffer and a fence along the rail line.

The Planning Board then heard the Planning Department's findings and recommendation being no additional questions or comments.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring Zoning Board of Review approval to construct an office building with less than required landscape buffer and off-site parking.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

Planning Department recommendation is to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to construct an office building on a lot with less than required landscape buffer and off-site parking.
- 2) That the Preliminary Plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
- 3) That all State permits including, but not limited to, RIDEM Wetlands, RIDOT Physical Alteration Permit (PAP), RIDEM Underground Injection Control (UIC) shall be obtained prior to Preliminary approval if needed.
- 4) That the Preliminary Plan shall include and clearly designate a provision for safe pedestrian access from the abutting off site parking lot to the proposed office building.
- 5) That the Preliminary Plan shall include the location and number of hydrants to be approved by the Warwick Fire Marshall's Office.
- 6) That Project Engineer shall provide existing and projected sewer flows, as well as, any other pretreatment requirements which shall be approved by the Warwick Sewer Authority, prior to Preliminary approval.
- 7) That the applicant shall merge all abutting lots by way of an Administrative Subdivision

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted five in favor with Chairman Mulhearn abstaining to adopt the Planning Department's findings and to grant Master Plan approval with the Planning Department's recommended stipulations

### **Request for an Amendment to the City's Zoning Ordinance**

#### **Offices at the Crossings**

**Applicant:** Bellcastle Realty Inc.  
**Location:** Greenwich Avenue  
**Assessors Plat:** 257  
**Assessors Lots:** a portion of lot 10 & a portion of lot 13  
**Zoning District:** Amendment of existing City Council Zone Change PCO-22-98.

Attorney K. Joseph Shekarchi represented the applicant and was requesting a recommendation to the City Council for an amendment to Zoning Ordinance PCO-22-98 in order to eliminate an approved hotel use, and to allow two office buildings totaling 200,000 square feet with dimensional relief from Zoning Ordinance, Table 2B, Dimensional Regulations, to have structures exceeding the maximum height in an Office Zoning District.

Attorney Shekarchi explained that the applicant desired to relinquish existing zoning approvals for a 200 room 75 foot high hotel in favor of a three story 55 foot high office building. The attorney explained that Davol, a medical research company, was interested in moving into Warwick. The company would initially employ approximately 166 employees, expanding to 420 employees within five years.

The attorney also explained that the plan was a work in progress and that the applicant may require additional relief but that it was not thought to be necessary currently.

Chairman Mulhearn inquired as to what type of relief may be necessary.

Shekarchi explained that the current plan was approximately five parking spaces short of the requirement (662 as opposed to 667) and that the parking could change, also that as the building was being designed that height could vary.

The Planning Board then inquired about construction timetables and coordination with the Continental Little League.

Kelly Coates of Carpiionato properties explained that the Little League would be provided unencumbered access via paved roadways. He further explained that ultimately the Little League main access would be relocated to the hotel access road.

The discussion then advanced to overall parking throughout the site including the hotel, the proposed office buildings, the residential development and the Little League. Following and extended discussion Mr. Coates agreed to provide the Little League with two additional rows of parking totaling 60 additional spaces subject to the approval of Narragansett Electric, as it related to the electric easement.

Being no further discussion, comments or testimony the Planning Board then heard the Planning Department finding's and recommendation.

The Planning Department found the proposed zone change to be in compliance with the City's Comprehensive Plan, including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Economic Development Element.

The Planning Department also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100 "Title and Purpose":

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflects current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick
- B) The natural characteristics of the land, including its suitability for use based on soil characteristics and topography.
- E) The availability and capacity of existing and planned public and/or private services and facilities.
- F) The need to shape and balance urban and suburban development.

103.10 Promotes a high level of quality in design in the development of private and public facilities.

103.1 Promotes implementation of the Warwick Comprehensive Community Plan, as amended.

The Planning Department recommended a favorable recommendation to the Warwick City Council for the requested zoning amendment with the following stipulations:

- 1) That the Warwick City Council shall amend those certain elements previously approved in City Council Zone Change PCO-22-98 in order to eliminate the hotel use and to allow two office buildings totaling 200,000 square feet with dimensional relief from Zoning Ordinance, Table 2B, Dimensional Regulations, to have structures exceeding the maximum height in an Office Zoning District.
- 2) That the Developer shall seek the installation of a fully actuated traffic signal at the intersection of Greenwich Avenue and the site access drive as recommended in the traffic analysis prepared by Garofalo & Associates and dated May 2006. This signal should be incorporated into the coordinated signal system presently being installed as a part of the RIDOT Route 5 Reconstruction Project.
- 3) The Project Engineer shall submit a complete parking plan for all existing and proposed uses on the site including the ancillary parking for Assessor's Plat: 265; Assessor's Lots: 18 and 21.
- 4) That the existing fifty foot (50') buffer shall be maintained along the southern property line and that the developer shall be allowed to construct and maintain paving and/or a detention pond within twenty-five (25') of the buffer, farthest from the southerly property line of the site.

- 5) That the Developer shall continue to provide land for the remainder of the 20 year term in accordance with the existing lease, provide water and gas service, construct the roads and install roadway lighting for the Continental Little League baseball facilities. The Continental Little League shall be responsible for the maintenance of the Baseball Facilities.
- 6) The Developer shall provide sixty (60) additional parking spaces for the use of the Little League. The location of these parking spaces shall be approved by the Planning Board as part of the Preliminary Plan
- 7) That PCO-22-98 shall be repealed upon effective date of this ordinance.

On the motion of Mr. Iacobucci, seconded by Mr. Constantine, the Planning Board voted unanimously to adopt the Planning Department' findings and issue a favorable recommendation to the Warwick City Council with the Planning Department's recommended stipulations

**Bond Reduction**

The request for a bond reduction was withdrawn

**Buckpell Estates**

Current bond total	\$45,660.00
<u>Amount to be released</u>	<u>\$45,660.00</u>
	Full Release

Being no further business the meeting was adjourned at 8 pm.